

HOUSE BILL 1298

By Halford

AN ACT to amend Tennessee Code Annotated, Title 30
and Title 35, relative to notice to creditors.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 35, Chapter 15, Part 6, is amended by adding the following as a new section:

(a) If there is no personal representative of the settlor's estate to whom letters testamentary or of administration have been issued so that the publication and notice requirements of § 30-2-306 have not been discharged, each trustee of a trust described in this part is authorized to publish and serve a notice to creditors in the same manner, with the same duties, and with the same protection for the trustee and the attorney for the trustee as described in title 30, chapter 2 for a personal representative.

(b) The notice shall comply with applicable court rules and contain:

- (1) The name of the trust's deceased settlor;
- (2) The trust's name or other designation, if any;
- (3) The date the trust was established;
- (4) The name and address of each trustee serving at the time of or as a result of the settlor's death; and
- (5) The name and address of the trustee's attorney, if any.

(c) The notice shall state the date of publication.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.